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## **Exemption Procedures for San Francisco, Oakland and San Jose Divisions** **Exemption Procedures for Santa Rosa (Eureka) Division:**

### **Exemption Procedures for San Francisco, Oakland and San Jose Divisions:**

Summary. All documents filed in any case or adversary proceeding must be filed electronically, unless exempted by the court. The court will not refuse any document for filing, but attorneys who file paper documents without an exemption may be subject to sanctions. Nonexempt attorneys who have not received ECF training must schedule such training promptly and may be subject to sanctions if they fail to attend their scheduled training session, or if they file paper documents more than 15 days after completing ECF training without a further exemption. Pro se litigants who are not attorneys are not subject to mandatory electronic filing.

Infrequent-filers. Attorneys (other than those representing Chapter 11 debtors) who file documents infrequently are automatically exempt from electronic filing.

The court maintains a record of filings for all attorneys. From that record the clerk is able to determine which attorneys are infrequent filers (generally, no more than five cases per year). Attorneys who are not infrequent filers are required to attend training or request an exemption for cause. Unless exempted, these attorneys must obtain an electronic login and password as soon as possible. A list of available ECF training dates is posted on the court's website.

Any attorney who is new to filing in the Northern District of California Bankruptcy Court will receive an automatic exemption of 30 *days from the date of their first filing* and must obtain ECF training promptly.

If an exemption was previously granted for filing on a specific case, that exemption will be honored *for that case only*. This specific case exemption will be noted in the court's attorney database.

Attorneys who have completed ECF training, but who have not yet obtained a login and password, are automatically exempt from electronic filing for 15 days to complete their preparation for ECF filing.

Temporary exemption. The court may grant a temporary exemption from electronic filing where exceptional circumstances justify such relief.

A request for a temporary exemption should be submitted in writing and should state that the requesting attorney is currently not exempt and describe in detail the circumstances justifying the request. The request should be submitted with the paper documents.

Out-of-district attorneys. The court's electronic filing requirements and the exemptions thereto apply to all attorneys, whether or not located in the district, and whether or not admitted to practice in the district.

Sanctions. Any non-exempt attorney who files documents in paper form may be subject to monetary and other sanctions.

### **Exemption Procedures for Santa Rosa (Eureka) Division:**

***All pleadings in this division shall be filed electronically*** with ***only*** the following exceptions:

1. Attorneys or law firms which did not file any pleading in this division in the previous calendar year may file ***one*** pleading in paper in this calendar year. If the pleading is more than 10 pages in length, it shall be accompanied by a disk containing the entire pleading in PDF format.
2. Pro se litigants. Provided, however, that any pleading subsequent to the lead documents in a new case in excess of 10 pages and any pleading filed within seven calendar days of a prior filing shall be accompanied by a disk containing the entire pleading in PDF format.

***Leave to deviate from the above requirements*** may be granted only by the Judge upon application with proposed order e-mailed in .wpd or .doc format to [Chambers\\_Orders@canb.uscourts.gov](mailto:Chambers_Orders@canb.uscourts.gov). Lack of computer equipment, computer illiteracy, or lack of ECF training will generally not be valid excuses.

***When an attorney or party attempts a filing in violation of the above requirements,*** the following procedure shall be followed:

1. The purported pleading will be scanned by the Clerk and filed unless it is so lengthy as to be burdensome, in which case the Clerk shall immediately obtain an order striking a portion of the pleading and shall scan and file the remainder.
2. The Clerk shall issue an Order to Show Cause why the pleading should not be stricken and the filer sanctioned. The hearing date shall be the next law and motion calendar which is

more than five days from the issuance of the OSC. No telephonic appearances will be allowed.

3. If the court disallows the filing, an order will be issued striking the pleading from the record.

4. If the court conditions the filing on payment of a fine and the fine is not paid within three court days, the pleading will be stricken from the record.

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